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9 UNITED STATES DISTRICT COURT
10 DISTRICT OF NEVADA
11

12 RACHEL W. KOVAR,
13 Plaintiffs,
14 vs.

15 GMRI, INC. d/b/a THE OLIVE GARDEN
ITALIAN RESTAURANT, a Florida
16 foreign corporation; DOE Individuals I
through X; and ROE Corporations and
17 Organizations I through V, inclusive,
18 Defendants.
19

CASE NO. 2:20-cv-01819-JCM-BNW

STIPULATION AND ORDER TO EXTEND
DISCOVERY DEADLINES

[SECOND REQUEST]

20 COME NOW, Defendant GMRI, INC. d/b/a THE OLIVE GARDEN ITALIAN
21 RESTAURANT ("Defendant") and Plaintiff RACHEL W. KOVAR ("Plaintiff"), by and
22 through their respective counsel of record, and pursuant to LR 6-1 and LR 26-3, hereby
23 stipulate and request that all current discovery deadlines in the above-captioned case be
24 continued for a period of sixty (60) days. In addition, the parties request that all other
25 future deadlines contemplated by the Scheduling Order be extended pursuant to Local
26 Rule. In support of this Stipulation and Request, the parties state as follows

27 1. On September 30, 2020, Defendant filed its Petition for Removal regarding
28 Eighth Judicial District Court Case No. A-20-820490-C. [ECF No. 1]

1 2. On September 30, 2020, Defendant answered Plaintiff's Complaint in the
2 federal court action. [ECF No. 5]

3 3. On October 13, 2020, the parties conducted an initial FRCP 26(f)
4 conference.

5 4. On October 16, 2020, Plaintiff served her FRCP 26 Initial Disclosures on
6 Defendant.

7 5. On October 27, 2020, Defendant served its FRCP 26 Initial Disclosures on
8 Plaintiff.

9 6. On October 27, 2020, the parties filed a Stipulated Discovery Plan and
10 Scheduling Order. [ECF No. 9]

11 7. On October 29, 2020, the parties submitted the Joint Status Report as
12 ordered by ECF No. 6. [ECF No. 10]

13 8. On November 3, 2020, Plaintiff served interrogatories and requests for
14 production of documents on Defendant.

15 9. On November 11, 2020, Defendant served interrogatories, requests for
16 admissions, and requests for production of documents on Plaintiff.

17 10. On November 12, 2020, the Court denied the parties' Discovery Plan and
18 Scheduling Order [ECF No. 9] and issued the currently operative Scheduling Order. [ECF
19 No. 11]

20 11. On December 2, 2020, Defendant served it responses to Plaintiff's written
21 discovery requests.

22 12. On December 7, 2020, Plaintiff's counsel requested, and Defendant's
23 counsel agreed to, an extension for Plaintiff to respond to Defendant's written discovery
24 requests.

25 13. On December 28, 2020, Plaintiff served her responses to Defendant's
26 written discovery requests.

27 ///

1 discovery. The parties are engaged in settlement negotiations and have agreed to
 2 continue Mr. Poston's deposition to see if this case may be resolved. The parties would
 3 like additional time to exhaust settlement negotiations prior to having to incur the expense
 4 and time associated in preparing for expert discovery.

5 Pursuant to the above, the parties have conferred and request an extension of the
 6 current deadlines as they will not currently suffice for the logistics of this case.

7 **EXTENSION OR MODIFICATION OF THE DISCOVERY PLAN AND**
 8 **SCHEDULING ORDER**

9 LR 26-3 governs extensions of the Discovery Plan and Scheduling Order. Any
 10 stipulation or motion to extend or modify that Discovery Plan and Scheduling Order must
 11 be made no later than twenty-one (21) days before the expiration of the subject deadline
 12 and must comply fully with LR 26-3.

13 This is the second request for extension of time in this matter. The parties
 14 respectfully submit that the reasons set forth above constitute compelling reasons for the
 15 extension.

16 The following is a list of the current discovery deadlines and the parties' proposed
 17 extended deadlines:

18 Event	Current Deadline	Proposed Deadline
19 Expert Disclosure pursuant to FRCP 26(a)(2)	<i>April 28, 2021</i>	<i>June 28, 2021¹</i>
20 Rebuttal Expert Disclosure pursuant to FRCP 26(a)(2)	<i>May 28, 2021</i>	<i>July 28, 2021</i>
21 Discovery Cut-off	<i>June 28, 2021</i>	<i>August 27, 2021</i>
22 Dispositive Motions	<i>July 27, 2021</i>	<i>September 27, 2021²</i>
23 Joint Pretrial Order	<i>August 26, 2021</i>	<i>October 27, 2021</i>

26
 27 ¹ Sixty (60) days from the current April 28, 2021 expert disclosure deadline is June 27, 2021, a Sunday.

28 ² Thirty (30) days after the proposed discovery deadline is September 26, 2021, a Sunday.

1 WHEREFORE, the parties respectfully request that all current discovery deadlines
2 in the above-captioned case be continued for a period of sixty (60) days, as outlined in
3 accordance with the table above.

4 DATED this 12th day of April, 2021.

DATED this 12th day of April, 2021.

5 LEWIS BRISBOIS BISGAARD &
6 SMITH LLP

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/s/ Timothy R. O'Reilly

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Attorneys for Plaintiff
RACHEL W. KOVAR

21 ORDER

22 IT IS SO ORDERED.

23 DATED this 15th Jay of April, 2021.

24 

25 U.S. MAGISTRATE JUDGE